

Cottonwood Heights Police Record Request GRAMA

2277 E Bengal Blvd; Suite B, Cottonwood Heights, Utah, 84121

Phone: (801) 944-7100

Fax: (801) 944-7105

Requestor Information:

Name: Aaron M. James Date of Birth March 16, 1975

Street Address: 2881 East Palma Way

City: Cottonwood Heights State: UT Zip Code: 84121

Daytime Phone: 801-719-9132 Email: amjames25@hotmail.com

REQUESTED RECORD STATUS (check all that apply)

- ☐ I am an involved party in a traffic accident.
- ☐ I am the subject/involved party of the requested record.
- ☐ I am the provider of the information in the requested record.
- ☒ I am the parent or legal guardian of the subject of the requested record.
- ☒ I have a "Power of Attorney" or notarized release from the subject of the record or from the provider of the information in the requested record. (Documentation Required)
- ☐ I would like to inspect (view) the records.
- ☐ Other-Please Explain _____

CHPD Case Number(s) 1) 16X007387 ← 16X004948 → Unknown Case # - Zane James Suspect in Investigation for Cottonwood Heights (2016)
 Rec Center Theft; 2) C14858377 → Zane James Dec 24, 2016; 3) 18X003056 # - Zane James Cottonwood Heights Police Shooting May 29, 2018.

Description of the Requested Record(s) Please Be Specific All records/documents associated with cases identified above including but not limited to, video, photos, witness testimony, officer statements, radio communication transcripts and support documents

PLEASE READ THE FOLLOWING BEFORE SIGNING THIS REQUEST

The records that may be provided to you, subsequent to your request, may contain information that is classified as "protected", "private", or "controlled", and may only be disclosed under certain circumstances, UCA 63G-2-302, UCA 63G-2-303, 63G-2-304, and 63G-2-305.

I will allow a maximum of ten 10 working days to compile the record, or 5 days with written documentation that shows why I am entitled to an expedited response as per UCA 63G-2-2-204 (3)(b).

I understand I may be responsible for the fees associated with the research and copies of this report in accordance with Cottonwood Heights Fee Schedule.

Signature

Date and Time of Request

Preparer: AS Fee Due: \$105.00 Date Requestor notified: 12-11-18Released by: WTDL #177648139 Release Date: _____

Denied by: _____ Denied On: _____ Due To: _____ Code: _____

Cottonwood Heights Police Record Request GRAMA
 2277 E Bengal Blvd; Suite B, Cottonwood Heights, Utah, 84121
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☒ I would like to inspect (view) the records.
☒ Other-Please Explain I WOULD LIKE COPIES OF THE DOCUMENTS
BEING IDENTIFIED BELOW.

CHPD Case Number(s) N/A

Description of the Requested Record(s) Please Be Specific Current CHPD Policies and Procedures and
associated guidance documents and support materials associated with CHPD Policies and Procedures.

training materials / related to cited cases -
guidelines

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Signature

Date and Time of Request

Preparer: 88 Fee Due: \$105.00 Date Requestor notified: 12-11-18Released by: Aaron James Release Date: WDL #177648139

Denied by: _____ Denied On: _____ Due To: _____ Code: _____

Michael J Peterson, Mayor

COTTONWOOD HEIGHTS POLICE DEPARTMENT

E. Robby Russo, Chief



December 11, 2018

Aaron M. James
2881 East Palma Way
Cottonwood Heights, UT 84121

RE: Request for Records (x2)

Your First Request:

*"1) Unknown Case # - Zane James Supect in Investigation for Cottonwood Heights (2016) Rec Center Theft" – Case Determined by Records Officer to be **16X004948**.*

"2) C14858377 – Zane James Dec 24, 2016" –

*Citation Number given, Related Case Number Determined by Records Officer to be **16X007387**.*

*"3) **18X003056** # - Zane James Cottonwood Heights Police Shooting May 29, 2018".*

"All records/documents associated with cases identified above including but not limited to, video, photos, witness testimony, officer statements, radio communication transcripts and support documents."

Regarding Case #16X004948:

Associated records/documents-police report

Video-no video available

Photos-15 photos, 1 audio interview

Witness testimony – Court Process, not a police record.

Officer statements-all available officer statements will be included in police report

Radio communication transcripts-included in police report

Support documents-all available media and/or documentation enclosed

Regarding Case #16X007387

Associated records/documents-police report

Video-Processing in progress. Specialist Jones will contact you with Fees

Photos-30 photos

Witness testimony- Court Process, not a police record.

Officer statements-all available officer information will be included in police report

Radio communication transcripts-included in police report

Support documents-witness statements

Regarding Case #18X003056

Associated records/documents-police report

Video- Processing in progress. Specialist Jones will contact you with Fees

Photos-36 photos

Witness testimony- Court Process, not a police record.

Officer statements-included in police report

Radio communication transcripts-included in police report

Support documents-No other documents available

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Your Second Request:

"I would like copies of the documents... Current CHPD Policies and Procedures and associated guidance documents and support materials associated with CHPD Policies and Procedures".

Regarding "guidance documents and support materials", Peace Officers in the State of Utah receive their certification through POST or Utah Peace Officer Standards and Training. POST contact information provided.

Utah Peace Officer Standards and Training
410 West 9800 South
Sandy, UT 84070
801-256-2300

The remainder of this request has been denied based on the following:

Effective 3/22/2018

63G-2-301. Public records.

- (3) The following records are normally public, but to the extent that a record is expressly exempt from disclosure, access may be restricted under Subsection [63G-2-201\(3\)\(b\)](#), Section [63G-2-302](#), [63G-2-304](#), or [63G-2-305](#):
- (a) administrative staff manuals, instructions to staff, and statements of policy;

Additionally, under Utah law, discovery may not be distorted into a "fishing expedition," and must "be confined within the proper limits of enabling the parties to find out essential facts for its legitimate objective." *State Road Comm. V. Petty*, 412 P2d 914, 918 (Utah 1966). The request is overbroad and unreasonable. The resources needed to comply with this request constitute an undue burden.

Per 63G-2-201(8)(a) In response to a request, a governmental entity is not required to:

- (ii) compile, format, manipulate, package, summarize, or tailor information;

You have the right to appeal this denial. If you are aggrieved by this response, pursuant to Utah Code Ann. § 63G-2-401 and Cottonwood Heights Code of Ordinances § 2.200.250, you may file a written appeal with the Chief of Police, Chief Robby Russo, at 2277 East Bengal Blvd, Suite B Cottonwood Heights, UT 84121, within 30 days of the date on this letter.

If you have any questions, you may contact me at 801-944-7031.

Regards,

Julie Sutch CH523
Officer Records Division/Evidence
Support Services Specialist
Cottonwood Heights Police
jsutch@ch.utah.gov
801-944-7031

2277 East Bengal Blvd, Suite B Cottonwood Heights, UT 84121